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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Donald Bruce McDugle	)	Art Unit:	3617
Serial No.	10/726,465	)	Examiner:	
Filed:	December 02, 2003	)	Cust. No.	22931
For:	BOAT THRUSTER	)	Attorney	
	APPARATUS AND METHOD	)	Ref. No.:	P114519

Certificate of Mailing (37 CFR 1.8a)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this document (along with any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on date shown below.

June 30, 2005  
Date

*Carole Petralli*  
Carole Petralli

**RESPONSE TO THE DECISION ON THE PETITION,**  
**the petition being by one joint inventor that the U.S. Patent and**  
**Trademark Office accept a Declaration and Power of Attorney by said**  
**one inventor on behalf of himself and the other inventor.**

**ATTENTION: The attorney handling this matter is Mr. Paul**  
**Shanoski.**

The decision on the earlier petition was mailed on February 01, 2005, and it was indicated that a reply was required by April 01, 2005. A two month extension of time is hereby requested to make the present response due on July 1, 2005, a check in the amount of \$225.00 is enclosed in payment of the extension fee. It is believed that no other fee is due at this

time to maintain this application in full force and effect. However, if any such fee is due, please charge this to Deposit Account No. 08-3260.

Enclosed with this response are two separate declarations. Both declarations contain the same basic information. One of these was signed by Mr. Kevin Pattison, one of the co-inventors who had previously refused to sign, and other declaration has been signed by Mr. Donald Bruce McDugle. Mr. McDugle had signed a previous declaration which was sent to the office at the time that the petition was filed. Both of these follow-on declarations disclose the needed information fully, including the citizenship and home addresses of the inventors.

### **REMARKS**

The two telephone conferences with Mr. Paul Shanoski on June 28 and June 30, are gratefully acknowledge. In the earlier telephone conference the undersigned discussed with Mr. Shanoski the various events which had lead up to the delay in obtaining the signature of Mr. Pattison. To summarize these very briefly, a dispute had arisen concerning whether or not there was a valid assignment made by the two inventors to Cap Sante Marine, Ltd. and Mr. Pattison took a position that it was not a

valid assignment and that as a co-inventor he was a co-owner of the patent application.

Litigation ensued, and a final decision was made by the court on this last May 25, 2005. This decision placed full ownership of the invention and the patent application in the plaintiff, Cap Sante Marine, Ltd. Subsequent to that time, the Applicant's attorney, the undersigned, contacted Mr. Mark Carlson, the attorney representing Mr. Pattison to request that Mr. Carlson have Mr. Pattison sign the Declaration and Power of Attorney form. The declaration and a copy of the application were sent to Mr. Carlson. Mr. Carlson has forwarded these to Mr. Pattison (i.e. both the Declaration and Power of Attorney form and also a copy of the patent application as filed). On this Thursday morning, June 30, I was able to learn from Mr. Carlson that he has talked to Mr. Pattison and he is willing to sign the Declaration and Power of Attorney form. I called Mr. Pattison and he signed the declaration and telefaxed it back to me.

These matters were discussed with Mr. Shanoski, and it is the understanding of the undersigned that it was agreed that with both inventors signing the proper Declaration and Power of Attorney form the petition now becomes moot, and it should be requested that the petition be withdrawn.

Accordingly, the undersigned hereby requests that the petition be withdrawn for the reason that both inventors have now properly executed the required declaration, and the issue of the missing signature becomes moot. It is respectfully submitted that the application should now be returned to the proper location at the U.S. Patent and Trademark Office to now proceed with prosecution of the application.

Again, the cooperation of Mr. Shanoski is appreciated. If there is any matter that needs attention, and if consultation or cooperation of the undersigned will be of help, the undersigned will be pleased to do whatever else is needed. The Applicant's attorney can normally be reached at the telephone number noted below.

Signed at Bellingham, County of Whatcom, State of Washington this June 30, 2005.

Respectfully submitted,  
DONALD BRUCE MCDUGLE,

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